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EXAMINER

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Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claim 1-20 are drawn to an apparatus for processing description information of multimedia data, comprising a server adding description information to multimedia, a terminal transmitting/receiving multimedia data to/from the server classified in class 709, subclass 203.
- II. Claims 21-23, 28-79 are drawn to a method for processing multimedia content the method comprising receiving a first description describing content in a first multimedia object, the first description including a first identifier and a reference to a group of multimedia objects and receiving a description about the group of multimedia objects, wherein the description about the group includes a group identifier that identifies the group classified in class 709, subclass 231.
- III. Claims 24-27 are drawn to a method for processing description information of multimedia data, comprising comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal classified in class 709, subclass 234

2. The inventions are distinct, each from the other because of the following reasons:

Inventions I, II and III are unrelated. In the instant case the different inventions as group I claims 1-20 are directed to an apparatus for processing description

information of multimedia data, comprising a server adding description information to multimedia, a terminal transmitting/receiving multimedia data to/from the server lacking, a method for processing multimedia content the method comprising receiving a first description describing content in a first multimedia object, the first description including a first identifier and a reference to a group of multimedia objects and receiving a description about the group of multimedia objects, wherein the description about the group includes a group identifier that identifies the group and comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal. Group II claims 21-23 are directed to a method for processing multimedia content the method comprising receiving a first description describing content in a first multimedia object, the first description including a first identifier and a reference to a group of multimedia objects and receiving a description about the group of multimedia objects, wherein the description about the group includes a group identifier that identifies the group lacking comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal and an apparatus for processing description information of multimedia data, comprising a server adding description information to multimedia, a terminal transmitting/receiving multimedia data to/from the serve. Group III claims 24-27 are directed to a method for processing description information of multimedia data, comprising comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal lacking a method for processing multimedia content the method comprising

receiving a first description describing content in a first multimedia object, the first description including a first identifier and a reference to a group of multimedia objects and receiving a description about the group of multimedia objects, wherein the description about the group includes a group identifier that identifies the group and an apparatus for processing description information of multimedia data, comprising a server adding description information to multimedia, a terminal transmitting/receiving multimedia data to/from the server.

3. These inventions are distinct for the reasons given above, and the search required for each Group is different and not co-extensive for examination purpose. For example, the searches for the four inventions would not be co-extensive because these groups would require different searches on PTO's classification class and subclass as following.

a) The Group I search (claims 1-20) would require use of class 709 subclass 203 (not require in invention II and III).

b) The Group II search (claims 21-23,28-79) would require use of class 709 subclass 231 (not require in invention I and III).

c) The Group III search (claims 24-27) would require use of class 709 subclass 234 (not require in invention I and II).

4. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

5. Applicant is reminded that upon the cancellation of claims to a non-elected

invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

8.04 Election by Original Presentation

6. Newly submitted claims 28-79 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Claims 28-79 are drawn to a method for processing multimedia content the method comprising receiving a first description describing content in a first multimedia object, the first description including a first identifier and a reference to a group of multimedia objects and receiving a description about the group of multimedia objects, wherein the description about the group includes a group identifier that identifies the group classified in class 709, subclass 231.

Claims 24-27 are drawn to a method for processing description information of multimedia data, comprising comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal classified in class 709, subclass 234.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 28-79 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

8.26 Canceled Elected Claims, Non-Responsive

7. The amendment filed on 10/11/2005 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because Claims 28-79 are drawn to a method for processing multimedia content the method comprising receiving a first description describing content in a first multimedia object, the first description including a first identifier and a reference to a group of multimedia objects and receiving a description about the group of multimedia objects, wherein the description about the group includes a group identifier that identifies the group classified in class 709, subclass 231.

Therefore claims 28-79 is directed to an invention that is independent or distinct from the invention originally claimed in claims 24-27.

8. Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

9.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A. Patel whose telephone number is 571-272-5809. The examiner can normally be reached on 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAP


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER